

Fiscal Services Division
Legislative Services Agency
Fiscal Note

HF 282 - DNR Technical Changes (LSB 1616 HV)

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Fiscal Note Version – New

Requested by Representative Mary Lou Freeman

Description

House File 282 makes technical changes related to operations in the Department of Natural Resources (DNR). The changes include:

1. Eliminates the requirement for the DNR to submit a report every five years, because annual reports are submitted. The report included the following:
 - a. Classifications of State parks, recreation areas, and preserves.
 - b. Methods for maintaining the diversity of animal and plant life in these areas.
 - c. Options for controlled deer hunting to prevent the overpopulation of deer.
 - d. Preventing damage to private property located adjacent to State parks, recreation areas, and preserves.
2. Uses the Administrative Rule process to add new aquatic invasive species to the list of non-native plants and animals likely to cause economic or environmental damage.
3. Allows DNR Director to enter into certain lease agreements with approval from the Natural Resource Commission. This streamlines the process and conforms to the way agricultural and other leases are handled.
4. Conforms to national safety standards by making the following changes related to operating personal watercraft (jet skis):
 - a. Adds definitions for a cut-off switch and cut-off switch lanyard.
 - b. Requires an owner of a personal watercraft equipped with a cut-off switch and cut-off switch lanyard to maintain the equipment in operable condition.
 - c. Requires a person operating a personal watercraft equipped with a cut-off switch to attach the cut-off switch to the operator using the cut-off switch lanyard.
5. Conforms to national safety standards by requiring persons less than 13 years of age to wear a type I, II, III, or V personal flotation device on board of a moving vessel.
6. Makes changes related to boating accidents:
 - a. Changes language from “accident” to “occurrence” to conform to current legal definitions.
 - b. Increases the amount from \$500 to \$2,000 in property damage for filing a boating incident report, to conform to national standards and reflect current costs of repairs.
7. Clarifies the method calculating damages for deer poaching based on antler sizes.
8. Requires persons to pay any outstanding damage payments plus interest prior to receiving hunting or fishing privileges.
9. Changes the year that hunters born after a certain date are required to complete a Hunter Safety Course and Ethics Education Course before receiving a hunting license. Complete records are unavailable until January 1, 1972, so hunters born before that date are not included in the requirement.

Background

The technical changes will improve administrative procedures and align Department policy with federal regulations.

Assumptions

1. There is no fiscal impact for the technical changes related to the elimination of the report requirement and the invasive aquatic species definitions.
2. The number of leases will not increase with the technical change. Currently, there are 60 leases for a total of \$200,000.
3. The increase in the number of navigation citations issued related to the use of cut-off switch equipment and the use of floatation devices by persons under the age of 13 cannot be estimated. The DNR Conservation Officers follow a general practice of publicizing and educating the public on new regulations, and issue warnings for an initial period of time. The DNR issued 2,276 navigation citations in 2001, 2,179 in 2002, and 2,634 in 2003. This provides a three-year average number of 2,363.
4. The current three-year average for the number of boating incidents reported with property damage is 26, with total damage of \$147,000. By increasing the property damage reporting requirement from \$500 to \$2,000, it is estimated the average number of reports will be 15 per year with total damage of \$138,000.
5. The number of citations issued related to deer poaching will not change, the technical method of determining the antler size is clarified.
6. The amount of liquidated damages collected from persons wanting to maintain their hunting and fishing privileges cannot be estimated. Currently, there are 170 persons that owe the DNR \$238,000. The average amount owed per person is \$1,400.
7. There is no fiscal impact related to the technical changes related to the completion of the Hunter Safety Course and Ethics Education Programs.

Fiscal Impact

There is insufficient information to determine the fiscal impact of HF 282. However, the Bill will likely result in a decrease in the number of boating accidents reported, a decrease in the amount of liquidated damages owed to the DNR, and an increase in the number of citations issued related to the operation of personal watercraft. However, the dollar amount cannot be estimated.

Source

Department of Natural Resources

/s/ Holly M. Lyons

April 5, 2005

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
